United Nations CRC/C/SLB/CO/2-3

Convention on the Rights of the C

Distr.: General
28 February 2018

Original: English

Committee on the Rights of the Child

Concluding observations on the second and third periodic reports of the Solomon Islands*

I. Introduction

1. The Committee considered the combined second and third periodic reports of the Solomon Islands (CRC/C/SLB/2-3) at its 2265th meeting (see CRC/C/SR.2265), held on 23 January 2018, and adopted the present concluding observations at its 2282nd meeting, held on 2 February 2018.

2. The Committee welcomes the submission of the combined second and third periodic reports of the State party and the written replies to the list of issues (CRC/C/SLB/Q/2-3/Add.1). However, it regrets that they were submitted with considerable delay, which prevented the Committee from reviewing the implementation of the Convention by the Solomon Islands for 14 years. The Committee welcomes the constructive dialogue with the multisectoral delegation of the State party, which was successfully held through videoconferencing, a method accepted by the State party as suiting its limited resources.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including the legislative, institutional and policy measures adopted to implement the Convention, such as the establishment of a juvenile court in the capital and the adoption of the National Development Strategy (2011–2020), the 2017 Child and Family Welfare Act and the 2016 Family Protection Act, despite the difficulties the State party faces owing to its geographical location, being dispersed over 900 islands and atolls in the Pacific Ocean.

III. Main areas of concern and recommendations

A. General measures of implementation (arts. 4, 42 and 44 (6))

4. **The Committee recommends that the State party take all measures necessary to address its previous recommendations of 2003 (CRC/C/15/Add.208) that have not been implemented or not sufficiently implemented and, in particular, those related to data collection (para. 16), training and dissemination (para. 18), non-discrimination (para. 22) and children deprived of a family environment (para. 35).**

* Adopted by the Committee at its seventy-seventh session (15 January–2 February 2018).

GE.18-03039(E)

1803039

Please recycle

Legislation

5. The Committee welcomes the drafting of the Youth Justice Bill and the ongoing legislative reforms, particularly the Education Act, the Penal Code and the Criminal Procedure Act. However, it is concerned that the Child and Family Welfare Act has not been given a commencement date and that some child-related laws still have to be harmonized with the Convention, in particular the Islanders' Marriage Act and the Labour Act.

6. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to implement recent legislation, in particular the 2017 Child and Family Welfare Act;**

(b) **Bring other existing legislation fully into conformity with the Convention, in particular the Islanders' Marriage Act, the Labour Act, the Education Act and the Penal Code;**

(c) **Allocate appropriate human, technical and financial resources for their implementation.**

Comprehensive policy and strategy

7. The Committee notes that the 2010–2015 National Children's Policy is in the process of review. However, the Committee is concerned that this policy and the National Youth Policy both expired in 2015.

8. **The Committee recommends that the State party adopt renewed policies based on the evaluation of the expired policies, and allocate appropriate human, technical and financial resources for their implementation.**

Coordination

9. The Committee welcomes the efforts undertaken by the State party to strengthen the National Advisory and Action Committee on Children through the recruitment of a Coordinator and a Child Development and Participation Officer. However, it is concerned that the Committee on Children does not have sufficient resources to fulfil its mandate of monitoring and coordinating the implementation of the Convention.

10. **The Committee recommends that the State party provide the National Advisory and Action Committee on Children with the human, technical and financial resources necessary for its effective operation.**

Allocation of resources

11. The Committee notes the allocation in the budget that relates to the implementation of the Convention and the budget increase for the education and health sectors. However, it is concerned that there are no child-specific allocations for children with disabilities and for children's health and that the budget is heavily dependent on foreign assistance, which may undermine the sustainability of child-related social sectors.

12. **With reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recalls its previous concluding observations (CRC/C/15/Add.208, para. 14) and recommends that the State party in planning its future budgets increase allocated budgetary resources specifically for children to the maximum extent possible in accordance with article 4 of the Convention and thereby take measures to reduce reliance on foreign assistance and donor strategies and in particular increase budget and expenditures for children with disabilities and for children's health.**

Data collection

13. **With reference to its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party strengthen its efforts to develop a comprehensive system of disaggregated data**

collection incorporating all the areas covered by the Convention and covering all children, with specific emphasis on those who are in need of special protection, including children with disabilities and those on the outer islands, and that it provide appropriate human, technical and financial resources. In that context, the Committee recommends that the State party seek technical assistance from, among others, the United Nations Children's Fund (UNICEF).

Independent monitoring

14. The Committee notes the State party's plan to conduct a further feasibility study on establishing the office of the Children's Rights Commissioner. However, it is concerned that there is no time frame for the establishment of a specific mechanism for monitoring children's rights that has the mandate to receive, investigate and address complaints by children in a child-sensitive manner.

15. **With reference its general comment No. 2 (2002) on the role of independent human rights institutions in the promotion and protection of the rights of the child, the Committee recommends that the State party:**

(a) **Designate or establish expeditiously a specific mechanism for monitoring children's rights that has the mandate to receive, investigate and address complaints by children in a child-sensitive manner;**

(b) **Seek technical cooperation from, among others, UNICEF, the Office of the United Nations High Commissioner for Human Rights, and the United Nations Development Programme.**

Dissemination, awareness-raising and training

16. **While noting that some awareness-raising activities are being done by the National Advisory and Action Committee on Children, the Committee recommends that the State party:**

(a) **Strengthen the role of Committee on Children and implement cross-sectoral initiatives at the national level;**

(b) **Strengthen community awareness programmes, including campaigns, and efforts in order to ensure that the provisions and principles of the Convention are widely recognized and understood in local languages and ensure that children, parents, communities and church leaders play a key role in such initiatives;**

(c) **Engage with communities and parents in discussions on children's rights, in particular on issues such as gender discrimination, child marriage and child labour.**

B. Definition of the child (art. 1)

17. **The Committee welcomes the legislative reforms in harmonizing with the Convention the definition of a child in national laws. However, it is seriously concerned that the minimum age for marriage is still set at 15 under the Islanders Marriage Act.**

18. **The Committee urges the State party to revise the Islanders Marriage Act promptly to ensure that the minimum age for marriage is established at 18 for girls and boys and that it take all measures necessary to eliminate child marriages.**

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

19. **The Committee recalls its previous recommendation (para. 22) and recommends that the State party take more active measures to end all forms of discrimination against children, with special attention to discrimination against girls,**

particularly in relation to education and access to basic services for children living in rural areas, and to children with disabilities.

Respect for the views of the child

20. The Committee notes that the 2017 Child and Family Welfare Act recognizes children's participation in matters concerning them. However, it is concerned that the participation of children is still limited to certain areas as a result of cultural practices where decision-making is left to the adults in the family and the community.

21. **With reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party ensure that children's views are given due consideration in the family, in the community, at schools and in all relevant administrative and judicial proceedings concerning them through, inter alia, awareness raising at the national and community levels on the participation of children in matters that affect them and through the training of professionals.**

D. Civil rights and freedoms (arts. 7, 8, and 13–17)

Birth registration

22. The Committee notes that the State party has made some progress in birth registration coverage of children through the launch in 2013 of the Civil Registration database system. However, it remains seriously concerned at difficulties and delays in registration in part because the registration service is mostly centralized in the capital and because of penalties for late registration. The Committee is also concerned at the accuracy, as acknowledged by the delegation of the State party during the dialogue, of the registration details for children born to unmarried parents and to adolescent mothers.

23. **The Committee urges the State party:**

(a) **To decentralize civil registration functions to the provincial level to make a birth registration available outside the capital and hospital facilities and strengthen the use of mobile birth registration teams to cover remote communities;**

(b) **To strengthen its efforts to implement early birth registration procedures and issuance of birth certificates with a special focus on birth registration at the community level;**

(c) **To remove penalties for late registration;**

(d) **To launch extensive awareness-raising programmes about the importance of birth registration and about the birth registration process;**

(e) **To ensure accuracy of registration details for children born to unmarried parents and to adolescent mothers.**

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

24. The Committee notes that corporal punishment is prohibited in schools only by a policy and is seriously concerned that the Penal Code still recognizes the right of any parent, teacher or other person having lawful control over a child to administer "reasonable punishment" and that the corporal punishment of children is still used.

25. **With reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee recalls its previous recommendation (para. 31) and urges the State party:**

(a) **To prohibit explicitly in law corporal punishment in all settings and repeal the right to administer "reasonable punishment" to children;**

(b) **To strengthen teacher training on alternative, non-violent forms of discipline and ensure it is part of pre- and in-service training programmes;**

(c) **To provide programmes for parents and all professionals that work with and for children to encourage the use of alternative, non-violent forms of discipline;**

(d) **To enforce effectively the prohibition against corporal punishment and provide children, especially in schools, with a complaints mechanism so that they can safely and confidentially report teachers and others that continue to use corporal punishment;**

(e) **To strengthen awareness-raising programmes, trainings and other activities to promote attitudinal change with regard to corporal punishment, particularly in schools, family and at the community level.**

Abuse, neglect and sexual exploitation

26. The Committee welcomes the positive steps taken to strengthen the legislative framework and awareness-raising, such as the Guidelines for minimum standards of the management and care of survivors of sexual and gender-based violence (2017), to protect children against violence. However, it remains seriously concerned at:

(a) The reportedly high level of abuse of children, including domestic violence and sexual abuse, and the reported sexual exploitation of girls in the logging and tourism industry;

(b) Inadequate resources to enforce the laws designated to protect children from all forms of abuse;

(c) The fact that children are not sufficiently aware of existing laws and reporting mechanisms;

(d) Inadequate structures in place to support child victims of violence and abuse, such as shelters, counselling, rehabilitation and reintegration procedures for child victims of crimes or special procedures for child witnesses involved in court proceedings;

(e) The shortage of specialized personnel in the Social Welfare Division.

27. **With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and taking note of Sustainable Development Goal 16.2 to end abuse, exploitation, trafficking and all forms of violence and torture of children, the Committee urges the State party:**

(a) **To allocate sufficient resources for the effective implementation of laws that protect children from violence, especially the 2017 Child and Family Welfare Act;**

(b) **To investigate all claims of sexual exploitation of children and prosecute the perpetrators of such acts, including in the logging and tourism industry, and encourage community-based programmes aimed at preventing and tackling domestic violence, child abuse and sexual exploitation;**

(c) **To undertake awareness-raising campaigns with the tourism industry and the public at large on the prevention of child sexual abuse in travel and tourism and disseminate widely the charter of honour for tourism and the World Tourism Organization Global Code of Ethics for Tourism among travel agents and in the tourism industry;**

(d) **To take all measures necessary to ensure children are aware of existing laws and understand reporting procedures and are encouraged to report cases of domestic violence, in particular child sexual abuse, to the relevant authorities;**

(e) **To ensure that child victims of violence and abuse have access to appropriate shelters and counselling, psychological, recovery and reintegration services;**

(f) **To introduce special procedures for child victims and witnesses involved in court proceedings;**

(g) **To provide all measures necessary to ensure adequate human, technical and financial resources, particularly specialized personnel, for dealing with cases of violence, sexual abuse and exploitation of children, to the Social Welfare Division.**

Helpline

28. The Committee takes note of the information provided by the delegation during the dialogue that helplines are provided through a service provider, but is concerned that there is no free, 24-hour national helpline for children.

29. **The Committee recommends that a three-digit, toll-free, 24-hour helpline be made available for all children, that the State party promote awareness of how children can have access to the helpline, including by collaborating with relevant non-governmental organizations and community leaders, and provide the human, financial and technical resources necessary for its effective functioning.**

F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20–21, 25 and 27 (4))

Children deprived of a family environment

30. The Committee is concerned at the absence of a comprehensive alternative care policy or minimum standards for regulating the alternative care of children and that there is no monitoring mechanism for children who are living with the extended family. The Committee is also concerned that there is an inadequate number of safe homes for children.

31. **Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:**

(a) **Develop an alternative care policy and minimum standards for regulating the alternative care of children;**

(b) **Develop monitoring mechanisms and resources for children living with the extended family;**

(c) **Establish a system of foster care, safe homes for children and social welfare services for children who are deprived of their family environments;**

(d) **Provide all social welfare services necessary and support to families and alternative care providers;**

(e) **Establish quality standards for all available forms of alternative care options and take children's views into consideration in any decision about alternative care;**

(f) **Ensure periodic review of the placement of children in alternative care and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying the maltreatment of children.**

Adoption

32. The Committee welcomes the 2017 Adoption (Amendment) Act, which was amended to include, in particular, "non-residence and intercountry adoption" as well as criteria for assessing both domestic and international adoption. However, it is concerned that there are no comprehensive guidelines for the adoption process.

33. **The Committee urges the State party:**

(a) **To develop regulations and guidelines for all stakeholders in matters of adoption;**

(b) **To establish a unit to oversee formal adoption processes and provide it with adequate resources;**

(c) **To increase awareness of formal adoption at the community level and promote and encourage formal domestic adoption;**

(d) **To consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.**

G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)

Children with disabilities

34. The Committee welcomes the National Disability and Inclusive Development Policy and Plan of Action, but is concerned at:

(a) The absence of a comprehensive law or new policies to replace the expired ones, for the protection and promotion of the rights of children with disabilities;

(b) The stigmatization of children with disabilities due to societal and cultural attitudes;

(c) Limited access to inclusive education, transportation, public spaces and service delivery in all areas, especially in rural schools and communities;

(d) Budget cuts for Community-Based Rehabilitation initiative, limited access to rehabilitation, early identification and referral programmes, as well as limited funding and technical support to service providers and to families with children with disabilities.

35. **With reference to its general comment No. 9 (2006) on the rights of children with disabilities, and taking note of Sustainable Development Goals 4, 9, 10 and 11, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:**

(a) **Strengthen the legislative framework by adopting comprehensive legislation for the protection and promotion of the rights of children with disabilities and adopt without delay the National Disability and Inclusive Education Policy and Plan of Action;**

(b) **Develop and support community campaigns and programmes to address discrimination and stigmatization against children with disabilities and create awareness of early detection and interventions;**

(c) **Provide for a sufficient number of specialist teachers and professionals who offer individual support in all schools and ensure that such professionals are adequately trained so that children with different types and levels of disabilities can enjoy their right to quality inclusive education effectively, including through international cooperation;**

(d) **Improve access to all public buildings, spaces, service delivery and transportation in all areas, especially in rural communities;**

(e) **Increase financial, human and technical resources for and expand community-based rehabilitation, early identification and referral programmes for children with disabilities and provide the necessary human, technical and financial support to service providers and families of children with disabilities.**

Health and health services

36. The Committee, while noting the progress made in some areas, including on tuberculosis and malaria, is concerned at:

(a) The high infant, under-5 and child mortality rates due to neonatal causes and preventable causes, such as diarrhoea, malaria and pneumonia;

(b) The low vaccination coverage, particularly in rural areas and outer islands;

(c) The low level of exclusive breastfeeding after the first three months, and the fact that five out of nine hospitals are not certified as baby-friendly;

(d) Inadequate funding, the insufficient number of well-trained health workers for children and pregnant women and poor access to health-care services, particularly in rural and remote areas, which all present significant barriers to the improvement of children's health.

37. **With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, and taking note of target 3.3 of the Sustainable Development Goals to end the epidemics of AIDS, malaria and tuberculosis and to combat hepatitis and other communicable diseases, the Committee recommends that the State party:**

(a) **Take measures, such as a specific programme for the management of childhood illnesses, to reduce infant, under-5 and child mortality due to preventable diseases, such as malaria and diarrhoea;**

(b) **Continue to provide resources for the Expanded Programme on Immunization, scale-up investment in immunization in rural areas and the outer islands and provide sufficient investment in suitable technologies and human resource capacities for immunization services;**

(c) **Continue to encourage breastfeeding activities, take measures to certify all hospitals as baby-friendly and implement fully the International Code of Marketing of Breast-milk Substitutes;**

(d) **Strengthen its efforts to improve access to basic health-care services for all children, particularly in rural and remote areas, and provide more resources to the mobile clinics so that they are more frequently available and reach a wider population.**

Mental health

38. The Committee notes the process of reviewing and renewing the Mental Health Treatment Act and the National Mental Health Policy but is concerned that they have not yet been approved. It is also concerned at the inadequate resources of and poor conditions at the National Psychiatric Unit, lack of rehabilitation services for the mental health of children and insufficient number of personnel specialized in children with mental health issues.

39. **The Committee recommends that the State party expedite the adoption of the Mental Health Treatment Act and the National Mental Health Policy, specifically providing for the treatment of children with mental health issues. It also recommends that the State party provide sufficient financial and human resources for the mental health of children and take all measures necessary, including regional cooperation, to improve conditions at the National Psychiatric Unit, provide rehabilitation services and increase capacity and the number of personnel specialized in children with mental health issues.**

Adolescent health

40. The Committee is concerned about:

(a) The high rate of teenage pregnancies, increased rates of pregnancy-related complications and of sexually transmitted infections among adolescents;

(b) Abortion being a criminal offence without any exceptions for cases of rape or incest;

(c) The limited access of teenage girls to safe reproductive and sexual health education and services, especially in rural areas and the outer islands, and the limited access to birth control methods, also due to fear of stigmatization;

(d) The limited availability of HIV testing and treatment and high levels of sexually transmitted infections;

(e) The reported increase in alcohol consumption, smoking and substance abuse among adolescents and limited programmes and services available for those affected.

41. **With reference to its general comments No. 3 (2003) on HIV/AIDS and the rights of the child, No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party:**

(a) **Adopt a comprehensive sexual and reproductive health policy for adolescents that pays attention to all aspects of prevention, including sexually transmitted infections and early pregnancies;**

(b) **Decriminalize abortion in all cases and ensure access to safe abortion and post-abortion care services, irrespective of whether abortion is legal or not, and ensure that the views of the girl are always heard and respected in abortion decisions;**

(c) **Ensure that sexual and reproductive health education is part of the mandatory school curriculum targeting adolescent girls and boys, with special attention to preventing early pregnancy and sexually transmitted infections;**

(d) **Improve adolescents' access to reproductive health-care and related services and increase support to reproductive health and family planning services, especially in rural areas;**

(e) **Provide sufficient resources for the implementation of the National Strategic Plan (2016–2020) for HIV and sexually transmitted infections to promote multisectoral response to the prevention of HIV and sexually transmitted infections;**

(f) **Develop a policy and plan of action on alcohol use, smoking and drug abuse by children and adolescents, provide children and adolescents with accurate and objective information and life-skills education on preventing substance abuse — including tobacco and alcohol — and develop accessible and youth-friendly drug dependence treatment and harm reduction services.**

Impact of climate change on the rights of the child

42. Noting that the State party is particularly vulnerable to climate change, the Committee is concerned that the State party has not included climate change adaptation and disaster risk reduction in the school curriculum and does not have school-based early warning systems in place, that more could be done to include the special needs of children, including children with disabilities, in planning disaster risk reduction preparedness, response and recovery, and that school infrastructure, particularly in remote areas, is not resilient and accessible in case of natural disaster.

43. **The Committee draws attention to target 13.b of the Sustainable Development Goals on promoting mechanisms for raising capacity for effective climate change-related planning and management. In particular, it recommends that the State party:**

(a) **Include children in the review of the National Disaster Management Plan, include climate change adaptation and disaster risk reduction in the school curriculum and establish school-based programmes such as early warning systems;**

(b) **Develop a comprehensive disaster-sensitive social protection system and ensure that the special vulnerabilities and needs of children, as well as their views, are taken into account;**

(c) **Improve data and assessments to have an evidence base for risk reduction and preparedness, particularly for the distinct needs and priorities of children with disabilities, and review emergency protocols to include assistance and other support to children with disabilities during emergencies and natural disasters;**

(d) **Increase children's awareness and preparedness for climate change and natural disasters and increase physical safety and resilience of school infrastructure;**

(e) **Ensure access to schools that are being or likely to be affected by severe weather events, especially for those in remote or rural communities, and consider alternative methods of teaching;**

(f) **Seek regional and international cooperation in implementing these recommendations.**

H. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

44. The Committee notes the ongoing revision of the Education Act and the National Development Strategy 2011–2020, which commits the State party to providing to free, equitable and quality early childhood education and care by 2020. However, the Committee is concerned about:

(a) Primary education not being compulsory;

(b) Reports on children over the age of entering primary education being out of school;

(c) School fees and contributions and the hidden costs of education, such as transportation, particularly in rural areas;

(d) Low enrolment rates in secondary level education, especially for girls, high drop-out rates and student absenteeism;

(e) The majority of textbooks for children being available only in English;

(f) Disparities in the quality and access to education in urban/remote areas, including the lack of sufficient boarding facilities for students, girls in particular;

(g) Pregnant girls and adolescent mothers being expelled from school as a form of discipline;

(h) Poor school infrastructure, insufficient number of teachers and teacher absenteeism;

(i) Low quality of early childhood education and insufficient early childhood education centres due to financial constraints.

45. **With reference to its general comment No. 1 (2001) on the aims of education, and taking note of target 4.1 and 4.2 of the Sustainable Development Goals on ensuring that all girls and boys complete free, equitable and quality primary and secondary education and have access to quality early childhood development, care and pre-primary education, the Committee recommends that the State party:**

(a) **Make primary education compulsory;**

(b) **Put in place accelerated programmes and facilitate access to non-formal education programmes for children of school age who are out of school;**

(c) **Address the barriers to education related to hidden cost of education, particularly in rural areas, and provide sufficient budget to the education sector;**

(d) **Identify the factors that contribute to low enrolment rates at secondary level, particularly among girls, and take effective measures to increase enrolment and access of children to the secondary school level;**

(e) **Address the high number of drop-outs and student absenteeism, particularly among girls, due to pregnancy, child marriage, poor sanitary conditions, poverty and lack of space in senior secondary institutions;**

(f) **Translate textbooks into local languages of the States party;**

(g) **Adopt effective measures to improve the quality and access of children to education on the outer islands and in rural communities, and provide sufficient boarding facilities for students, girls in particular;**

(h) **Ensure that pregnant teenagers and adolescent mothers are supported and assisted in continuing their education;**

(i) **Provide sufficient resources to improve school infrastructure, address teacher absenteeism and increase the number of certified teachers;**

(j) **Provide resources to improve the quality and number of early childhood education centres.**

I. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

Economic exploitation, including child labour

46. The Committee is seriously concerned that:

(a) There is no policy that addresses child labour and no social programmes to prevent child labour and support children involved in that practice;

(b) Boys between 16 and 18 may be permitted to work in hazardous activities;

(c) Cases of child labour have been reported in the logging, tourism and fishing industries;

(d) There is no child-specific complaints mechanism that is able to effectively receive, monitor and investigate reports on cases of child exploitation.

47. **The Committee urges the State party:**

(a) **To develop and adopt a policy on child labour and a hazardous labour list;**

(b) **To take the measures necessary to ensure that no child under 18 years of age engages in hazardous labour, including in the agriculture, logging, tourism and fishing industries, and put in place social programmes that target the elimination or prevention of child labour, especially its worst forms;**

(c) **To strengthen the labour inspection system and provide it with sufficient resources for it to work effectively;**

(d) **To establish child-specific complaint mechanisms that can receive, monitor and investigate reports of cases of child exploitation and raise children's awareness about the issues.**

Sale, trafficking and abduction

48. The Committee notes the adoption of the Immigration Act (2012), the establishment of the National Action Plan on Human Trafficking and People Smuggling 2015–2010 and the formalization of the Trafficking in Persons Anti-Human Trafficking Advisory Committee, but is seriously concerned about:

(a) The sale of girls to foreign workers in the natural resource sector for the purpose of sex and marriage;

(b) The fact that the sexual exploitation of children, such as the procuring of boys aged 15 to 17 years, or the offering of children aged 15 to 17 years for prostitution, is not criminalized;

(c) The fact that the use, procurement or offering of a child for the production of pornography or pornographic performances is not criminalized.

49. **The Committee urges that the State party:**

(a) **Criminalize and strictly prosecute the sale of girls to foreign workers for sex and marriage;**

(b) **Criminalize the procuring of boys aged 15 to 17 years and the offering of children aged 15 to 17 years for prostitution;**

(c) **Criminalize the use, procurement or offering of a child for the production of pornography or pornographic performances.**

Administration of juvenile justice

50. The Committee notes the drafting of the Youth Justice Bill, but is seriously concerned that:

(a) The minimum age of criminal responsibility is set at the very low age of 8 years;

(b) There is a lack of specialized judges or system for children in conflict with the law;

(c) Limited formal diversion options are currently available;

(d) There is a need for further capacity-building and support in relation to diversion, the police and judiciary for the full implementation of inter-agency protocols for children in conflict with the law;

(e) Juvenile detention facilities do not have separated services and spaces from adults, especially for the purposes of health care, sports and leisure and meals.

51. **With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. In particular, the Committee recommends that the State party:**

(a) **Adopt without delay the Youth Justice Bill and ensure that children under the age of 18 are accorded with the safeguards provided in the Penal Code;**

(b) **Raise the minimum age of criminal responsibility in accordance with the acceptable international standards;**

(c) **Increase efforts to ensure that all children in conflict with the law are dealt with by specialized juvenile courts and judges, ensure they receive appropriate training and provide them with adequate human, technical and financial resources;**

(d) **Promote non-judicial measures in the case of children in conflict with the law, such as diversion, mediation and counselling and, wherever possible, use non-custodial measures at sentencing, such as probation and community service;**

(e) **Ensure that detention is used only as a measure of last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to its withdrawal;**

(f) **Ensure the separate detention of children from adults, and that all legal safeguards for children in such cases are protected and respected;**

(g) **Provide sufficient financial, human and technical resources for full implementation of the inter-agency protocols for children in conflict with the law.**

J. Ratification of the Optional Protocols

52. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocols to the Convention on the Rights of the Child.**

K. Ratification of international human rights instruments

53. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the core human rights instruments to which it is not yet a party.**

L. Cooperation with regional bodies

54. **The Committee recommends that the State party cooperate, among others, with regional organizations such as the Pacific Community and the Pacific Islands Forum.**

IV. Implementation and reporting

A. Follow-up and dissemination

55. **The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. It also recommends that the combined second and third periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.**

B. National mechanism for reporting and follow-up

56. **The Committee recommends that the State party establish a national mechanism for reporting and follow-up, as a standing government structure that is mandated to coordinate and prepare reports to and engage with international and regional human rights mechanisms and to coordinate and track national follow-up and implementation of the treaty obligations and recommendations/decisions emanating from those mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution and civil society.**

C. Next report

57. **The Committee invites the State party to submit its combined fourth to sixth periodic reports by 9 May 2023 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.**

58. **The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.**